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September 12, 2008

**BY ECF, FACSIMILE AND MAIL**

Hon. Richard J. Sullivan  
United States District Court  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: United States v. Nancy Diaz**  
**07 CR 692-05 (RJS)**


Dear Judge Sullivan:

The addendum to Nancy Diaz's pre-sentence report makes a glaringly erroneous and inflammatory assertion when it states that Ms. Diaz "recruited prospective U.S. citizens at homeless shelters and drug-treatment centers throughout New York City" in relation to this offense. Ms. Diaz has never done such a thing. Her role in this offense was that of an office worker who prepared paper work and took photographs. She was not responsible for "recruiting" any participant to the sham marriages and is unaware that such individuals were recruited by others. This allegation strikes especially deep within Ms. Diaz. She is devoted to her work as a drug counselor and has made that work a part of her spiritual being. It is inconceivable and totally inaccurate to attribute such activity to Ms. Diaz.

I have enclosed two additional letters addressed to Your Honor on behalf of Ms. Diaz. Significantly, they come from the Managing Director of Day Top and from a co-counselor at Day Top. (Exhibits "L" and "M"). William Giuliano, the Managing Director, describes Ms. Diaz as a "role model", a "valuable" and "trusted" colleague who goes "the extra mile". Jerome Fields, her co-worker and fellow counselor similarly lauds the attributes of this "truly caring person". That is the true measure of Ms. Diaz with regard to her dedication to her work and the respect she has for those seeking to turn their lives around, as she has, and the people who have devoted their lives to

helping them. She would never violate the trust given to her by indulging in the activity asserted by the probation officer. The assertion is wrong and it should be stricken.

Respectfully submitted,

  
Richard H. Rosenberg  
RR0846

To: AUSA Jenna Dabbs  
Nicole I. Guite, U.S. Probation

**EXHIBIT L**



316 Beach 65th Street • Far Rockaway, N.Y. 11692 • Tel. (718) 474-3800

Msgr. William B. O'Brien  
President, Daytop Village, Inc.

Brian Madden  
Executive Vice President

Joseph H. Hennen  
Sr. Vice President, Treatment Services

Patricia A. Zingale  
Sr. Vice-President, Supportive Programs

Steven Winston, Esquire  
Sr. Vice-President, Legal Affairs

Gregory C. Bunt, MD  
Sr. Vice President, Health Services

Thomas McCulloch  
Sr. Vice President/CFO

Residential Facilities  
Entry Unit & Re-Entry  
316 Beach 65th Street  
Far Rockaway, NY 11692

P.O. Box 340  
Swan Lake, NY 12783

P.O. Box 368  
Parksville, NY 12768

P.O. Box 633  
Rhinebeck, NY 12572

Adolescent Facilities  
P.O. Box 607  
Millbrook, NY 12545

P.O. Box 631  
Fox Run, Rhinebeck, NY 12572

Adolescent Diagnostic Unit  
220 Fox Hollow Road  
Rhinebeck, NY 12572

Outreach Centers  
620 Route 303  
Blauvelt, NY 10913

16 Westchester Square  
Bronx, NY 10461

2614-16 Halperin Avenue  
Bronx, NY 10461

401 State Street  
Brooklyn, NY 11217

246 Central Park Avenue  
Hartsdale, NY 10530

166-10 91st Avenue  
Jamaica, NY 11432

91-01 Merrick Boulevard  
Jamaica, NY 11432

1915 Forest Avenue  
Staten Island, NY 10303

2075 New York Avenue  
Huntington Station, NY 11746

Assessment & Referrals  
500 Eighth Avenue  
New York, NY 10018

Special Programs

Family Association  
54 West 40th Street  
New York, NY 10018

Residential Women's Program  
Springwood Facility  
44 Springwood Drive  
Rhinebeck, NY 12572

Adult Outpatient Services  
500 Eighth Avenue  
New York, NY 10018

Employee Counseling Services  
401 State Street  
Brooklyn, NY 11217

Elderly Services (C.A.R.E.S.)  
401 State Street  
Brooklyn, NY 11217

A non-governmental organization in  
consultative status with the  
Economic and Social Council  
of the United Nations.

September 11, 2008

Re: Ms. Nancy Diaz

Honorable Justice Sullivan  
U.S. District Court  
500 Pearl Street  
New York, New York

Your Honor:

I am writing this letter of recommendation on behalf of Ms. Nancy Diaz. Ms. Diaz has been employed at Daytop Village, Inc. from September 17, 2007 to the present. Since she was hired, Ms. Diaz has proven to be a valuable employee and a trusted colleague.

Ms. Diaz is committed to helping her clients overcome their difficulties and refrain from substance abuse to become drug free. Ms. Diaz is always willing to help and in many instances goes the extra mile.

Ms. Diaz has a professional working relationship with her co-workers and carries herself as a role model around our organization. We are honored to have someone of her caliber in our employ.

Respectfully,

William Giuliano, Managing Director  
LMSW, CASAC

WG/lc

**EXHIBIT M**

September 11, 2008

Honorable Justice Sullivan  
U.S. District Court  
50 Park Street  
New York, N.Y.

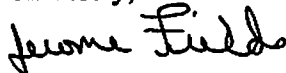
Honorable Justice Sullivan :

This letter is being written on behalf of Nancy Diaz. Ms. Diaz has been a co-worker now for over seven months and has become a good colleague and friend the reason for this is because I have found her to be one of my most trustworthy co-workers as well as one of the most responsible person's Have had the honor to meet in the professional sector.

Ms. Diaz and myself are working in the field of providing people with services and this is a very trying field as your honor is aware of. Ms. Diaz has not only learned to provide the expected services for her clients she also gives of her personal time to help not only her clients but also her colleagues clients to learn how to live a better life. She takes them to outside functions so they can learn to conduct themselves in public in a more responsible manner.

As far as a co-worker she has been a totally positive role model for me, as far when I first arrived she made sure that I was schooled in every aspect of my duties by pointing out the proper procedures and the do's and don'ts of this particular agency in which we are employed. Ms Diaz has shown herself to be a truly caring person who will help any and all when they are in need and that attribute is what sometimes gets her into trouble.

Sincerely,

A handwritten signature in cursive script that reads "Jerome Fields".

Jerome Fields  
Clinical Counselor